
**Public Safety & Emergency
Preparedness Committee**

SSB 6596

Brief Description: Providing for the creation of a sex offender policy board.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Regala, Stevens, Marr, Shin, McAuliffe, Brandland and Kilmer).

Brief Summary of Substitute Bill

- Requires the Sentencing Guidelines Commission to establish a Sex Offender Policy Board to research, review, and discuss issues relating to the assessment, treatment, and supervision of sex offenders.

Hearing Date: 2/25/08

Staff: Yvonne Walker (786-7841).

Background:

The Sentencing Guidelines Commission (Commission) is a state agency created by the Legislature in 1981 as part of the Sentencing Reform Act (SRA). The Commission serves as an independent body to develop criminal sentencing guidelines and standards for recommendation to the Legislature. The Commission's responsibilities include:

- serving as a clearinghouse and information center on adult and juvenile sentencing;
- conducting ongoing research on sentencing and related issues; and
- evaluating state sentencing policies with the goal of achieving consistencies between sentencing ranges and standards for the multitude of offenses defined in state law.

The Commission consists of 20 voting members, 16 of whom are appointed by the Governor. The appointed members include four superior court judges, two defense attorneys, two prosecutors, four citizens, the chief of a local law enforcement agency, one county elected official, one city elected official, and one administrator of juvenile court services. There are four ex-officio voting members: the Secretary of the Department of Corrections, the Director of the Office of Financial Management, the chair of the Indeterminate Sentence Review Board, and the head of the state

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agency (or his or her designee) having responsibility for juvenile corrections programs. Four legislators are appointed by the leadership of the House of Representatives and the Senate and serve as nonvoting members.

Summary of Bill:

The Commission must establish a 13-member Sex Offender Policy Board (Board).

Duties. Although the Board is established by the Commission, it is an independent entity whose duties are as follows:

- Staying apprised of research and best practices relating to risk assessment, treatment, and supervision of sex offenders; community education regarding sex offenses and offenders; prevention of sex offenses; and sex offender management.
- Conducting case reviews on sex offenses as needed to understand the performance of sex offender prevention and response systems and conducting the reviews that are in a manner that protects the right to a fair trial.
- Developing and reporting on benchmarks that measure performance across the state's sex offender response system.
- Assessing best practices or trends in other jurisdictions to determine their applicability and viability in Washington.
- Providing a forum for discussion of issues that require interagency collaboration, including community education about the sex offender management system, community-based prevention programs, and sex offender registration and monitoring.

The Board must develop an initial work plan detailing the method for achieving its duties and submit it to the Governor and the Legislature by December 1, 2008. The Board must annually update the work plan and include reasonable performance measures to indicate whether its duties are being met.

Board Membership. Members of the Board must include representatives from the following organizations: the Washington Association of Sheriffs and Police Chiefs (WASPC), the Washington Association of Prosecuting Attorneys (WAPA), the Washington Association of Criminal Defense Lawyers (WACDL), the Indeterminate Sentence Review Board, the Washington Association for the Treatment of Sex Abusers (WATSA), the Department of Corrections, the Washington State Superior Court Judge's Association, (SCJA), the Juvenile Rehabilitation Administration, the Office of Crime Victims Advocacy in the Department of Community, Trade and Economic Development, the Washington State Association of Counties (WSAC), the Association of Washington Cities (AWC), the Washington Association of Sexual Assault Programs (WASAP); and the Director of the Department of Health and Social Services Special Commitment. The nonvoting membership must consist of two members of the Commission and a representative of the Criminal Justice Division in the Office of the Attorney General. Members of the Board are eligible for limited reimbursement.

The members representing the WASPC, the WAPA, the WACDL, the WATSA, the SCJA, the WSAC, the AWC, and the WASAP must be appointed for staggering three-year terms. Each must serve until his or her successor is selected by the agency they represent. Any vacancy before the expiration of a term must be filled by the appointing agency for the unexpired portion of the term in which the vacancy occurs.

The chair of the Commission must convene the first meeting. However, the Board must choose its chair by majority vote from among its voting membership. The chair's term must be two years.

Member Replacement. Any member of the Board who misses three consecutive meetings must have that fact called to that member's attention by the chair of the Board. If the chair believes the member is not able to continue as a Board member, the chair must request that the appointing agency replace the member for the remainder of the unexpired term.

Authority. The Board may create subcommittees or within available funding, contract with outside experts to assist the Board in performing its duties. The Board must develop bylaws to govern its operation, using the bylaws created by the Commission as a guide.

The Washington State Institute for Public Policy must act as an advisor to the Board.

Board Termination. The Board terminates on June 30, 2013.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.